

**REMARKS**

Favorable reconsideration of this application, in light of the preceding, amendments and following remarks, is respectfully requested. Claims 1, 15-17, 19-22, 27-28 and 30-37 are pending in this application. By this Amendment, claims 1, 15-17 and 19-22 are amended. By this Amendment, no claims are added or cancelled. Claims 1, 19, 20, 21, and 22 are the independent claims. Applicants have amended the claims to recite "optical disk" instead of "computer readable medium." Support for this amendment is provided at FIG. 7 of the present application.

**Telephone Interview**

Applicants thank the Examiner for granting the telephone interview dated October 29, 2009. During the interview, Applicants discussed the rejection to claims 1, 19-22, and 27-28 under 35 U.S.C. §103(a) as being unpatentable over Kato (U.S. Patent Publication No. 2002/0145702, hereinafter "Kato") in view of De Haan (U.S. Patent Publication No. 2009/0180757, hereinafter "De Haan") and further in view of Hamada (U.S. Patent Publication No. 2008-0253742, hereinafter "Hamada"). For example, Applicants argued that Hamada does not disclose or suggest "wherein the stream file, the clip information file, the playlist file, and the navigation file are separate and have different file extensions from each other" as required by claim 1 because Hamada does not disclose a **navigation file**. In response, the Examiner seemed persuaded by these arguments. Applicants have reproduced these arguments below.

In addition, Applicants argued that De Haan fails to disclose or suggest "a navigation area storing a navigation file including a path item, the path item including a **first navigation command for launching the playlist file to reproduce** and a second navigation command for proceeding to a next path item" of claim 1 because the

“pre-command” of De Haan only pulls up a **menu**. The menu of De Haan is not a **playlist file**. In response, the Mr. Tran (the Examiner’s Supervisor) recommended that Applicants amend the independent claims to recite a first navigation command for launching a **single** playlist file to overcome the De Haan reference. Without conceding to the Examiner’s current position for reasons discussed below, Applicants have amended the independent claims to recite “a single playlist file” instead of “the playlist file” as suggested by Mr. Tran. As such, Applicants respectfully request this rejection be withdrawn. Furthermore, Applicants submit that this application is in a condition for allowance, and request the Examiner to issue a Notice of Allowance in the next USPTO communication.

### **Rejections under 35 U.S.C. § 103**

The Examiner rejects claims 1, 19-22, and 27-28 under 35 U.S.C. § 103(a) as being unpatentable over Kato (U.S. Patent Publication No. 2002/0145702, hereinafter “Kato”) in view of De Haan (U.S. Patent Publication No. 2009/0180757, hereinafter “De Haan”) and further in view of Hamada (U.S. Patent Publication No. 2008-0253742, hereinafter “Hamada”). Applicants respectfully traverse this rejection for the reasons detailed below.

Applicants do not believe that De Haan discloses or suggests “a navigation area storing a navigation file including a path item, the path item including a **first navigation command for launching a single playlist file to reproduce** and a second navigation command for proceeding to a next path item” as recited in claim 1.

First, De Haan does not disclose or suggest the first navigation command for launching a single **playlist file**. A playlist file is defined in claim 1 as “a playlist file including at least one playitem, the playitem identifying a *playing interval* in a clip of the video data.” The Examiner asserts that the PlayList Title of De Haan corresponds

to the “playlist file” of claim 1. The PlayList Title of De Haan is defined as a “[t]itle representing a *play back sequence of cells* from one recording. Play Lists are accessible via the Title Menu.” See Paragraph [0045] of De Haan. Because the technical meaning of the Playlist Title of De Haan is **completely different** from that of the playlist file of claim 1, De Haan does not disclose launching a **playlist file**. For instance, the PlayList Title of De Haan represents a *playback sequence of cells*, whereas the playlist file of claim 1 identifies a *playing interval* in a clip. Representing a playback sequence of cells is **not the same** as identifying a playing interval in a clip. Therefore, the PlayList Title of De Haan cannot possibly be the playlist file of claim 1. As a result, De Haan does not launch a single **playlist file** within the meaning of claim 1.

Assuming for the sake of argument that the Playlist Title of De Haan corresponds to the “playlist file” of claim 1, De Haan still does not disclose or suggest “a first navigation command for launching a **single playlist file**.” The Pre-Command (allegedly the first navigation command) of De Haan “call[s] the Title Menu.” See paragraph [0064] of De Haan. The Playlist title is accessible via the title menu. See paragraph [0045] of De Haan. In other words, the pre-command of De Haan does not launch the Playlist Title, but only a Title Menu. The title Menu merely provides access to the Playlist Titles.

In other words, the pre-command of De Haan only launches the *Title Menu*, which then shows the Playlist Titles. However, the pre-command does not directly launch one of the “Playlist Titles.” Rather, the pre-command of De Haan merely launches a menu that shows a plurality of playlist titles. At no point does the actual pre-command directly launch one of the playlist titles. Showing the playlist titles via the menu is not launching a single playlist file for reproduction.

In addition, as indicated by the Examiner's supervisor, the pre-command of De Haan does not launch a single playlist file. For instance, the definition of Title Menu is "a menu that gives the user access to Play Lists and optionally to full titles." (Emphasis Added). See paragraph [0051] of De Haan. Therefore, De Haan fails to disclose or suggest "a navigation area storing a navigation file including a path item, the path item including a **first navigation command for launching a single playlist file to reproduce** and a second navigation command for proceeding to a next path item" because the pre-command of De Haan merely pulls up a menu.

Furthermore, as discussed during the interview, Hamada does not disclose or suggest "wherein the stream file, the clip information file, the playlist file, and the navigation file are separate and have different file extensions from each other" as required by claim 1. For example, the Examiner asserts that the file "info.dvr" of FIG. 5 of Hamada corresponds to the "navigation file" of claim 1. However, the file "info.dvr" of Hamada does not include a navigation file including a path item, the path item including a first navigation command. Rather, the file "info.dvr" merely contains general information about the recording disk. As a result, Hamada could not possibly disclose a playlist file having a different file extension from the navigation file because Hamada does not illustrate a "navigation file."

Because of these deficiencies, Hamada, Kato, De Haan, and deCarma fail to render independent claim 1 obvious to one of ordinary skill in the art. Independent claims 19-22 include features similar to the above-identified features of claim 1, and therefore are patentable for at least the same reasons stated above. Claims 27-28, dependent on claim 22, are patentable for at least the same reasons stated above. As such, Applicants respectfully request this rejection be withdrawn.

Also, the Examiner has rejected claims 15-17 and 30-37 under 35 U.S.C. §103(a) as being unpatentable over Kato in view of De Haan, deCarma, Hamada, and

Nakatani (U.S. Patent Publication No. 2002/0114614). Claims 15-17 and 30-37, dependent on claims 1 and 19-22, are patentable for at least the same reasons stated above. As such, Applicants respectfully request this rejection be withdrawn.

**CONCLUSION**

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

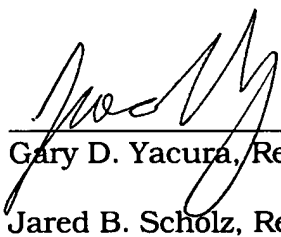
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

  
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Gary D. Yacura, Reg. No. 35,416  
Jared B. Scholz, Reg. No. 64,088

P.O. Box 8910  
Reston, Virginia 20195  
(703) 668-8000

GDY/JBS:gew